

## REMARKS

Claims 1-5 are currently pending in this application. Claims 6 and 7 were previously canceled without prejudice. In view of the following remarks, reconsideration and indication of the pending claims as being allowable is respectfully requested.

### *Claim rejections under 35 U.S.C. § 103(a)*

#### Claim 1 and 3-5

Claims 1 and 3-5 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hegg (US 5,121,099) in view of Nojima (US 5,746,139) and further in view of Erskine (US 5,805,119). Applicants respectfully disagree with the rejection.

On page 3 of the office action mailed February 16, 2010, the Examiner concedes that Hegg does not disclose a controller that switches a part of a first display image into a hidden state in association with enlargement of the display range of the second display image and switches the part of the first display image into the displayed state in association with a reduction of the display range of the second display image and the light emitting device of the first display being an LED. Furthermore, the Examiner concedes that Hegg does not disclose a concave surface mirror member, as recited in claim 1.

Therefore, the Examiner relies on Nojima for allegedly disclosing a vehicle display apparatus that enlarges and reduces the display ranges of a first and second display image via a controller, and relies on Erskine for disclosure of a concave surface mirror. However, a person having ordinary skill in the art would not have found it obvious to modify the device of Hegg with the device of Nojima because Nojima teaches away from a device having a configuration as described in Hegg.

Hegg is directed to an apparatus that selectively illuminates different components on two separate display pages via an optical arrangement (see, Hegg col. 3, lines 33-44). In Hegg the first image source is a group of **electromechanical gauges (i.e. fixed indicators)**, (see Hegg col. 3, lines 3-11) and FIG. 2, which shows the fixed indicators of Hegg.

In contrast, Nojima is directed to a **fully computer generated** graphical information display system that is either a single wide liquid crystal display (LCD) screen or a single cathode ray tube (CRT) screen and which expressly does not include a fixed indicator (i.e. a conventional pointer) (see Nojima at col. 3, lines 42-46).

It is well settled that, “[a] reference should be considered as a whole, and portions arguing against or teaching away from the claimed invention must be considered.” *Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc.* 796 F.2d 443, 230 USPQ 416 (Fed. Cir. 1986).

Moreover, a reference *teaches away* when it “would likely discourage the art worker from attempting the substitution suggested by [the inventor/patentee].” *Gillette Co. v. S.C. Johnson & Son, Inc.*, 919 F.2d 720, 16 USPQ2d 1923 (Fed. Cir. 1990).

Therefore, it is clear from Nojima, that the image processor (12) generates and processes what is displayed on the wide display screen (10), (see FIG. 1), and that no fixed indicator is needed or desired. As such, based on Nojima, a person having ordinary skill in the art would not combine a fully graphical display unit of Nojima with the fixed display optical unit of Hegg as Nojima *teaches away* from such a modification. Moreover, Erskine cannot cure this incompatibility of Hegg with Nojima.

Thus, a person having ordinary skill in the art would not have found configuration as recited in claim 1 obvious in view of the cited references. Accordingly, claim 1 is allowable over the cited references.

Furthermore, claims 3-5 depend from and further define the subject matter of claim 1 and therefore are also allowable.

Claim 2

Claim 2 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nojima in view of Hegg and further in view of Erskine. Applicants respectfully disagree. It is asserted on page 7 of the office action mailed February 16, 2010, that Nojima allegedly teaches all of the elements of claim 2, except for use of a transmissive reflecting member or concave mirror as recited in claim 2. Therefore, the Examiner relies on Hegg for the alleged disclosure of a transmissive reflecting member and on Erskine for the alleged disclosure of a concave mirror.

However, as discussed above in reference to claim 1, a person having ordinary skill in the art would not have found it obvious to combine Nojima with Hegg as Nojima teaches away from the device of Hegg. This is because Nojima is directed to a **fully computer generated** graphical information display system that is either a single wide liquid crystal display (LCD) screen or a single cathode ray tube (CRT) screen and which expressly does not include a fixed indicator (i.e. a conventional pointer) (see Nojima at col. 3, lines 42-46). In contrast, Hegg is directed to an apparatus that selectively illuminates different components on two separate display pages via an optical arrangement (see, Hegg col. 3, lines 33-44). In Hegg the first image source is a group of **electromechanical gauges (i.e. fixed indicators)** (see Hegg col. 3, lines 3-11).

Based on Nojima, a person having ordinary skill in the art would not combine a fully graphical display unit of Nojima with the fixed display optical unit of Hegg as Nojima *teaches away* from such a modification.

Moreover, Erskine fails to cure the defects in Hegg and Nojima.

Thus, a person having ordinary skill in the art would not have found configuration as recited in claim 2 obvious in view of the cited references. Accordingly, claim 2 is allowable over the cited references.

In view of the above remarks, Applicants respectfully submit that this application should be allowed and the case passed to issue. If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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